THE SOUTHERN CONGRESS.

MESSAGE OF GEN. JEFFI RSON DAVIS

The latest bichmond papers furnish a copy of the Anof he Coulederate Congress on Monday, the 7 h instant. We pled before our readers the most interesting portions of it;

To the Senae and House of Representatives of the Con federate States of America.

It is with an islanding nat I welcome your presence at an earlier day than that usual fir your section, and with confidence that I move the and of your connects at a time of such public ax group. The campaign which was compared to the state of such public ax groups amply an appearance with your season archemics. menced aimost simel aneously with your session early in May bet, and which was still in progress at your adjourn ment in the middle of June, has not yet reached its close. It has been prosecuted on a scale and with an energy herethe remore alled. When we revert to the condition of our country at the inception of the operations of the present year, to the magni ude of the preparations made by the en my, the number of his forces the accumulation of his warlike supplies, and the predigality with which his vas Yerou ces have been lavehed in the attempt to render success assured; when we contrast the numbers and means at our disposal for resistance, and when we contemplate the re uits of a struggl apparently so unequal, we cannot fail, we de rend sing the full meed of deserved praise to our g. D. rais and sold ere, to perceive that a power higher ban man has willed their deliverance, and gratefully to recon-use the protection of a kind Providence in enabling us successfully to withstand the utmost efforts of the enemy

REVIEW OF THE YEAR.

At the beginning of the year the State of Texas was partially in possession of the enemy, and large portions of Lemeians and Arkansas lay apparently defenceless. Of the F-deral soldiers who invaded Texas, none are known to r main except as prisoners of war. In Northwestern L usings a large and well-appointed army, aided by a pow rius flet, was repeatedly defeated, and deemed itself tunate lu fi a ly escaping with a loss of one-third of its tumbers, a large part of its military trains, and many transports and gunboats. The enemy's occupation of that State is reduced to the narrow district commanded by the guns of his first. Arkaneas has been recovered with the exception of a few fortified posts, while our forces have penetrated into C-ntrai Missour, aff-rding to our oppressed brethren in that State an opportunity of which many have availed themselves, of striking for liberation from the tyranny to which they have been subjected On the east of the Mississippi, in spite of some reverses, we have much cause for graulation. The enemy hoped to effect, during the present year, by concentration of forces, the conquest which he had previously failed to accomplish by more extended operations Compelled, therefore, to withdraw, or sern usly to weaken the strength of the armies of occupation at d fierest, points, he has afforded us the opportunity of recovering possession of extensive districts of our terri-tory. Nearly the whole of North-rn and Western Missasippi, o Northern Alabama, and of Western Tennessee are again in our possession; and all attempts to penetrate from e coast line into the interior of the Atlantic and Gulf States have been baffled. On the entire ocean and guif coset of the Confederacy the whole success of the enemy, with the enormous naval resources at his command, has bren limited to the capture of the outer defences of Mobile

If we now turn to the results accomplished by the two great armies, so confident y relied on by the invaders as sufficient to secure the subversion of our Government and the subjection of our people to foreign domination, we have still greater cause for devout gratitude to Divine couthwestern Virginia, successive armies, which threatened the capture of Lynchburg and Saitville, have been souted and driven out of the country, and a portion of Eastern Tennessee reconquered by our troops la Neribern Verginia extensive districts, formerly occu-pied by the nemy, are now free from their presence. In the lower Valley, their General, rendered d sperate by inshifty o main ain a bostile occupation, has resorted to the intamous expedient of converting a truitful lan, into a desirely burning its mills, granaries, and homesteads, and desirely g the hood, standing crops, live stock, and again plements of peace ul non-combatants. The main army, all r a series of defeats, in which its losses have been ecormous; after attempts by raiding parties to break up our radicad communications, which have resulted in centraction of a large part of the cavalry engaged in the work ; after constant repulse of repeated assaults on cur defensive lines, is, with the aid of heavy reinforcements, but with, it is heped, waning prospect of further progress the des go, etch engaged in an effort, commenced more the four wouts ego, to capture Petersourg
the srm; of Gen ch rman, although succeeding at the

end of Le summer in ob aining possession of Atlania, has bern thick o to recure any ultimate advantage from this success. The same General woo, in February last, marchen a to go arm, from Vicksturg to Meridian vith no other result in being forces to march back again, was able, by the aid of greatly increased numbers, and, after much de toy, to hace a pearage from Continuous to Atlanta, only t be f r the second time compelled to with raw on the m it of territery beyond the narrow track of his march, a. O with the gather g august beyond the precare the coases d po bts, in which he is compelled to ma . . in benty garrisone, and which are menaced with re Capte Ic.

I be to seforde by the history of the war are fraught With I at uc lon and the dragement. Repeatedly during Le was tast form cable expections been directed by the the bare, at immense cost, been successful; bu in no ins. Do Lave the premised fruits been reped. Again, in the becoming of Adams a d Kichmond would, if fireten, the the was by the overthrow of the Government and the su master of our people. We can n w judge by experience how be important is the it florusce of the form r experience now deimportant is the it is need of the form revent upon our capacity for delence up in the courage and aprit of the people, and the stability of the Government. We may, in the manner, judge that, if the campaign again this character is success instead of follows. If the valor if the army, under the leavership of its accomprished & a.ms. der, had resisted in valuate overwhelming masers works were, on the contrary, decisively repulsed if we has been compelled to evacuate Rienmond as well as attacts, the Confederacy would have remained as erect and definit as ever. Nothing could have been changed in the purpose of its Government, in the indomitable valor of its treeps, or in the unquenchable spirit of its people The b filed and d sappointed for would in vain have scanthe b fined and d sappointed be would in value have scan-bed the reports of your proceedings, at some new legi-la-live scat, for any indication that progress has been made in his great to us, must ere long be forced upon the refuctant bottle-rn mind. There are no vital points on the preser-tation of which the continued existence of the Confederacy de, eucs. There is no military success of the enemy which can accomplish its destruction. Not the fail or Richmond. bor Wilmington, nor Charleston, nor bavanneh, nor Mo bile, nor of all combined, can save the enemy from the constant and exhaustive drain of blood and treasure which must continue until he shall discover that no peace is art manie unless based on the recognition of our indefea

B fore leaving this subject it is gratifying to assure you that the military supplies essentially require for public desence will be lound, as heretofor, a sequate to our peeds; and that abundant crops have rews and the labor or the larmer, and rendered abortive the inhuman attemp of the enemy to produce, by devastation, famine among

FOREIGN RELATIONS It is not in my power to accounce any change in the concust of foreign Powers. No such action has been taken by the hristian nations of) urope as might justly have been expected from their bistory, from the duties imposed te national law, and from the claims of numanity. It la charitable to attribute their conduct to no worse motive than and fierence to the consequences of a struggle which stakes only the republican portion of the American contineut; and not to ascribe to design a course calculated to

insure the prolongation of hostilities.

No instance in history is remembered by me in which a nation preceding to exercise dominion over another as-serting its independence has been the first to concede the existence of such independence. No case can be recalled to my mind in which neutral Powers have failed to set the example of recognising the independence of a nation when satisfied of the mapping of its enemy to subvert its Goventished of the manning of its enemy to subvert its Gov-erament; and this, t.o. in cases where the previous rela-tions between the contending parties had been confessedly that of mother country and dependent colony; not, as in our case, that of co-equal States united by Federal comour case, that of co equal States united by Federal compact. It has ever been considered the proper function and duy of neut. al Powers to perform the office of judging whether, in point of fact, the nation asserting dominion is able to make good its precessions by force of arms, and if not, by recognition of the resisting party, to discountenance of the course. the further continuance of the contest. And the reason way the out yes incumbent on neutral Powers is pickly opport no when we refl et that the pride and possion which bond the | dgment of the parties to the conflict cause the communa ce of active warrare, and cons quent use ess sloop her, long after the mevitable result has become apparent to all not engaged to the etru gie. So long, therefore, as he u rai ur in us lati, by recognition of our independence, to announce that, in their judgment, the United States are unable to reduce the Confederacy to submission, their conduct will be accepted by our enemies as a tacit encouragement to continue their off rts, and as an implied assurance that belief is entertained by neutral nations in the success of her designs. A direct stimu us, whether intentional or u t, is thus applied to securing a continuance of the carbage and devastation which devolate this continent, and

The owner and of this just, humane, and Christian public duty by the nations of Lurope is the more remarkable from the fact that authentic expression has long since been given

which they process deeply to deplore.

conviction that the United States are unable to conquer the Confederacy. It is now more than two years since the Gover ment of France are nounced officially to the Cabinets of Landon and St Petersburgh its own conclusion that the United States were unable to achieve any decisive military uco-es In the answers sent by those Powers no intimation of a c nirary spinion was conveyed; a d it is notorious that, in speeches, both in and out of Parliament, the members of her Britann c Majesty's Government have not pestated to express this conviction in ur qualified terms The denial of our right under these circumstances is so obviously unjust, and discriminates so unfairly in favor of the United States, that neutrals have sought to palliate the wrong, of which they are conscious, by professing to con-sider, in opposition to notorious truth and to the known bel ef of both bell gerents, that the recognition of our in dependence would be valueless without their further interention to the struggle; an intervention of which we dis claim the desire and mistrust the advantage We seek no favor; we wish no intervention; we know ourselves fully competent to maintain our own rights and independence against the invaders of our country; and we feel justified in a serting that, without the aid derived from recruiting their armies from foreign countries, the invaders would

ore this have been a ween from our soil.

When the recognition of the Confederacy was refused by Great Britain in the fall of 1862, the refu-al was excused on the ground that any action by her Majesty's Government would have the effect of inflaming the passions o the belligerents and of preventing the return of peace. I is assumed that this opinion was sincerely entertained but the experience of two years of unequalled carnage shows that it was erroneous, and that the result was the reverse of what the British Ministry humanely desired A centrary policy—a policy just to us, a policy diverging rem an unvarying course of concession to all the demandof our enemies-is still within the power of her Majesty's Government, and would, it is fair to presume, be proouctive of consequences the opposite of those which have unfortunately followed its whole course of conduct from the commencement to the present time. In a word, peace is impossible without independence, and it is not to be expected that the enemy will anticipate neutrals in the recognition of that independence. When the history of this war shall be fully disclosed, the calm judgment of the importial publicist will, for these reasons, be unable to belive the neutral nations of Europe from a share in the moral responsibility for the myriads of human lives that

ave been unneccessily sacrificed during its progress.

The renewed instances in which foreign Powers have given us just couse of complaint need not here be detailed. The extracts from the correspondence of the State De partment, which accompany this message, will afford such urther information as can be given without detriment to the public interest, and we must reserve for the future such action as may then be deemed advisable to secure redress.

Your special attention is earnestly invited to the report of the Secretary of the Treasury, submitted in conformity with law. The facts therein disclosed are far from discouraging, and demonstrate that, with judicious legislation. we shall be enabled to meet all the exigencies of the war from our abundant resources, and avoid at the same time such an accumulation of debt as would render at all doubtful our capacity to redeem it.

The total receipts into the Treasury for the two quar

ters ending on the 30th of September, 1864, were \$415.191.550; which sum, added to the balance of \$308,282,722 that remained in the Treasury on the 1st of April last, forms a total of \$723,474,272. Of this total not far from half-that is to say, \$342,560,327-have been applied to the extinction of the public debt, while the total expenditures have been \$272,378,505, leaving a balance in the Treasury on the 1st of October, 1864, of \$108,435,440. The total amount of the public debt, as exhibited on the

books of the Regis er of the Freasury, on the 1st October 1864, was \$1 147,970,208, of whice \$539,340,000 were funded debt, bearing interest, \$283,880,150 were Treasury otes of the new issue, and the remainder consisted of the former issue of Treasury notes, which will be converted nto other forms of debt, and will cease to exist as currency on the 31st of next month. The report, however, explains that, in consequence of the absence of certain returns from distant officers, the true amount of the debt is less, by about wenty one and a ball millions of dollars, than appears on the books of the Register, and that the total public debt on the lat of last month may be fairly considered to have era \$1,126 381,095

The increase of the public debt during the six months from the 1st of April to the 1st October was \$97 650,780, being rather more than \$16,000,000 per month, and it will be apparent, on a perusal of the report, that this augmensation would have been avoided, and a positive reduction the amount would have been effected but for certain detects in the legislation on the subject of the finances which are pointed out in the report, and which seem to admit of easy remedy

In the stat-ment just made the foreign debt is omitted

It consists only of the unpaid balance of the lean known as the cotton lean. This balance is but £2 200,000, and ed-quately provided for by about two hundred and fifty thousand bales of cotton owned by the Government, even if the cotton be rated as worth but sixpence per pound. There is one item of the public debt not included in the bibles presented, to which your attention is required. The bounty bonds promised to our soldiers by the third section of the act of 17th February, 1864, were deliverable on the 1st of October the Secretary has been unable to issue them by rea-en of an omission in the law, no time being

therein fixed for the p-yment of the bonds. den rimen s of the Guvernment, according to the estimates about d with the r port, for the six months enoug on the 30th of June, 1855, amount to \$438,102 679, while the Secontary estimates that there will remain un xpended, out of thimer appropriations, on the let of January, 1865 balance of \$467 416 504. It would, therefore, seem but former estimates have been largely in excess of actual -xpenditures, and that no additional appropriations are required for meeting the needs of the public service up to the lat of July of next year—Indeed, if the estimates now presented should prove to be as much in excess of actual expenditures as has heretolore been the case, a considerabalance will still remain unexpended at the close of

the fir a half of the ensuing year. The chief difficulty to be apprehended in connection with our finances results from the depreciation of the Freasury notes, which seems justly to be attributed by the ecretary to two causes : redundancy in amount and want of confidence in ultimate redemption; for both of which remedies are suggested that will commend themselves to your consideration as being practicable as well as efficient. The main features of the plan presented are substantial-

these: First That the faith of the Government be ledged that the notes shall ever remain exempt from tax Second. That no issue shall be made beyond that which is already authorized by law. Third. That a certain fixed portion of the annual receipts from taxation during the war shall be set apart specially for the gradual exdue d to \$150,000 000; and fourth. The pledge and appropriation of such proportion of the tax in kind and for such number of years after the return of peace as shall be sufficient for the final resemption of the entire circulation. The details of the plan, the calculations on which it is based, the efficiency of its operation, and the vast advan-tages which would result from its success are fully de ail-d in the report, and cannot be fairly presented in a form sufficiently condensed for this message. I doubt not it will receive from you that earnest and candid considerion which is merited by the importance of the subject. The recommendations of the report for the repeal of tertain provisions of the tax law which produce inequality aus from taxati n on capital, and from any adverse discrimination in taxation on income derived from them; for placing the taxation on banks on the same feeting as the taxation of other corporate bodies; for securing the pay-ment into the Treasury of that portion of the bank circuation which is liable to confiscation because held by slien enemies; for the conversion of the interest-be-ring Frea-sury notes now outstanding into coupon bonds, and for the quarterly epilection of taxation; all present practical questions for legislation, which, if wisely devised, will greatly improve the public credit, and alieviate the burens now imposed by the extreme and unnecessary depre-

ciation in the value of the currency.

The returns of the Produce Losa Bureau are submitted with the report, and the information is conveyed that the I reasury Agency in the Trans Mississippi Department has been fully organized, and is now in operation with promise

of efficiency and success. DEPARTMENT OF WAR.

The condition of the various branches of the military service is stated in the accompanying report of the Secre-tary of War. Among the suggestions made for legislative action, with a view to add to the number and efficiency of the army, all of which will receive your consideration, there are some prominent topics which merit special

The exemption from military duty now accorded by law to all persons engaged in certain specified pursuits or pro-ferences is shown by experience to be unwise; nor is it heved to be de enable in theory. The defence of home, study, and country is universally recognised as the parant political duty of every men b r of society; and rm of government like ours, where each citizen enjoys quality of rights and privileges, nothing can be idious th n sn u equal distribution of dut es and obligations. No pursuit nor position should relieve any one who is able to do active duty from enrolment in the army unless his functions or serv.c.s are more useful to the defence of his country in another sphere.

But it is manifest that this cannot be the case with en-

tire classes Ali to egraph operators, workmen in mines professors, teachers, engineers, editors and employes of professors, ceachers, engineers, editors and employes of new-papers, journeyman printers, shoemakers, tanners, black-miths, millers, physicians, and the numerous other classes mentioned in the laws, cannot, in the nature of things, be either equally necessary in their several professions, nor distributed throughout the country in such proportions that only the exact numbers required are found in each locality; nor can it be everywhere impossible to our liberties. This is the true path to peace. Let us replace those within the conscript age by men older and less capable of active field service. A discretion should

by the Governments of both France and England to the be vested in the military authorities, so that a sufficient number of those essential to the public service might be Confederacy. It is now more than two years since the detailed to continue the exercise of their pursuits or professions; but the exemption from service classes should be wholly abandoned. It affords great facility for abuses, offers the temptation, as well as the ready means, of escaping service by trandulent devices, and is one of the principal obstructions to the efficient

operation of the conscript laws.

A general militia law is needful in the interest of the public defence. The Constitution, by vesting the power in Congress, imposes on it the duty of providing "for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the ser vice of the Confederate "tates." The great diversity in the legislation of the several States on this subject, and the absence of any provision establishing an exact method for calling the militia into Confederate service, are sources of embarrassment which ought no longer to be suffered to impede defensive measures.

EMPLOYMENT OF SLAVES. The employment of slaves for service with the army as te: maters or cooks, or in the way of work upon fortifica-tions, or in the Government workshops, or in hospitals, and other similar duties, was authorized by the act of 17th February last, and provision was made for their impressment to a number not exceeding twenty thousand, if it should be found impracticable to obtain them by contract with the owners. The law contemplated the hiring only of the labor of these slaves, and imposed on the Govern ment the liability to pay for the value of such as might be lost to the owners from casualties resulting from their empl yment in the service. This act has produced less re-

been frequently claimed for short periods in the construction of defensive works. The slave, however, bears another relation to the State—that of a person. The law of last February contemplates only the relation of the slave to the master, and limits the impressment to a certain term of service. But for the purposes enumerated in the act instruction in the manner of encamping, marching, and parking trains is needful, so that, even in employment, length of service adds grealy to the value of the negro's labor. Hazard is also encountered in all the as to which the negroes can be assigned to service with the army, and the duties required of them demand

In this aspect the relation of person predominates so far as to render it doubtful whether the private right of property can consistently and beneficially be continued, sideration was the fact the convenient harbor of Bahir and it would seem proper to acquire for the public service

Whenever the entire property in the service of a slave sthus acquired by the Government the question is presented by what tenure he should be held. Should he be retained as a reward for faithful service, or should it be granted at nce on the promise of such service? and if emancipated what action should be taken to secure for the freedman the permission of the State from which he was drawn to reside within its limits after the close of his public service? The permission would doubtless be more readily accorded | Government in permitting piracies within the shadow of as a reward for past faithful service, and a double motive its shores had made the step an imperatively necessary for zealous discharge of duty would thus be offered to one. It may be remarked here that it was found, after those employed by the Government—their freedom and the scizure of the Florida, that arrangements had been the gratification of the local attachment which is so marked a characteristic of the negro, and forms so powerful an incentive to his action.

The policy or engaging to liberate the negro on his discharge after service faithfully rendered seems to me preferable to that of granting immediate manumission, or that of retaining him in servitude. If this policy should recommend itself to the judgment of Congress, it is suggested that, in addition to the duties heretofore performed by the slave, he might be advantageously employed as pioneer and engineer laborer : and, in that event, that the number should be augmented to forty thousand Beyond this limit and these employments it does not seem to me desirable, under existing circumstances, to go. A broad, moral dis tinction exists between the use of slaves as soldiers in the defence of their homes and the incitement of the same persons to insurrection against their masters. The one is ustifiable, if necessary; the other is iniquitous and unworthy of a civilized people; and such is the judgment of all writers on public law, as well as that expressed and insisted on by our enemies in all wars prior to that now waged against us. By none have the practices of which they are now guilty been denounced with greater severity than by themselves in the two wars with Great Britain in the last and in the present century; and in the Declaration or Ind-pendence of 1776, when enumeration was made of the wrongs which justified the revolt from Great Britain, the climax of atrocity was deemed to be reached only when the English monarch was denounced as having "excited domestic insurrection amongst us."

The subject is to be viewed by us, therefore, solely in the light of policy and our social economy. When so regarded I must dissent from those who advise a general vy and arming of the slaves for the duty of soldiers. Until our white population shall prove insufficient for the armies we require and can afford to keep in the field to employ as a suidier, the negro, who has merely been trained to labor and as a laborer the white man, accustomed from is youth to the use of fire-arms, would scarcely be deemed wise or advantageous by any; and this is the question now before us. But should the alternative ever be presented of sut jugation, or of the employment of the slave dier, there seems no reason to doubt what should then be our decision.

Whether our view embraces what would, in so extreme a case, be the sum of misery entailed by the dominion of the enemy, or to be restricted solely to the we fare and cappiness of the negro population, themselves, the result would be the same. The appalling demonstration, suffering, di-case and death which have been caused by partially substituting the invader's system of police for the kind relation previously subsisting between the master and slave have been a sufficient demonstration that external interference with our institution of domestic slavery is productive of evil only. If the subject involved no other sideration than the mere right of property the sacrifices heretofore made by our people have been such as to per-mit no doubt of their readiness to surrender every posses session in order to secure their independence.

But the social and political question, which is exclu sively under the control of the several States, has a far wider and more enduring importance than that of pecu-niary interest. In its manifold phases, it embraces the stability of our republican institutions, resting on the ac tual political equality of all its citizens, and includes the fulfillment of the task which has been so happily begun. that of christianizing and improving the condition of the Africans who have, by the will of Providence, been placed in our charge. Comparing the results of our own experience with those of the experiments of others who have borne similar relation to the African race, the people of the several States of the Confederacy have abundant reason to be satisfied with the past and to use the greatest circumspection in determining their course.

These considerations, however, are rather applicable to the improbable contragency of our need of resorting to this element of resistance than to our present condition. If the recommendation, above made, for the training of forty thousand negroes for the service indicated shall meet your approbation, it is certain that even this limited number, their proparatory training in intermediate duties, would form a more valuable reserve force, in case of urgency, than threefold their number suddenly called from field labor; while a freeh levy could, to a certain extent, sup ply their places in the special service for which they are now employed.

NECOTIATIONS FOR PEACE. The disposition of this Government for a peaceful soluon of the sames which the enemy has referred to the arbitrament of arms has been too often manifested and is too well known to need new assurances. But, while it is true that individuals and parties in the United States have indicated a desire to substitute reason for force, and by negotiation to stop the further sacrifice of human life, and to arrest the calamities which now afflict both countries, the authorities who control the Government of our enemies have too often and too clearly expressed their resolution to make no peace except on terms of our unconditional submission and degradation, to leave us any hope of the cessation of hostilities until the delusion of their ability to conquer us is dispelled.

Among these who are already disposed for peace, many are actuated by principle and by disapproval and abhorrence of the iniquitous warfare that their Government i waging, while others are moved by the conviction that it is no longer to the interest of the United States to continge a struggle in which success is upattainable. ever this fast-growing conviction shall have taken firm root in the minds of a majority of the Northern people, there will be produced that willingness to negotiate for peace which is now confined to our side. Peace is manifeatly impossible unless desired by both parties to this war, and the disposition for it among our enemies will be best and most certainly evoked by the demonstration on our part of ability and unshaken determination to defend on ghts, and to hold no earthly price too dear for their purchase. Whenever there shall be on the part of our enemies a desire for peace there will be no difficulty in finding means by which negotiation can be opened; but it is ob vious that no agency can be called into action until this desire shall be mutual. When that contingency shall happen, the Government, to which is confided the treaty making power, can be at no loss for means adapted to accomplish so desirable an end.

In the hope that the day will soon he reached when,

under Divine favor, these States may be allowed to enter on their former peaceful pursuits, and to develop the abun dant patural resources with which they are blessed, fet u then resolutely continue to devote our united and unim paired energies to the defence of our homes, our lives, and

THE REBEL PRIVATEER FLORIDA.

Further Particulars of her Capture.

The Boston Daily Advertiser of Wednesday contains full particulars of the recent capture in a Brazilian port of the rebel privateer Florida by the United States gunboat Wa chusett, as derived from Paymaster Smith, of the Wachusett, and the officers of the Kearsarge. We copy the

The Confederate war steamer Florida arrived at Bahia, Bay of San Salvador, Brazil, October 5th, having captured and burned the barque Mondamon, from Rio, off Pernambuco, on the 28th of September. The United States at teamer Wachusett, Capt. Napoleon Collins, had been lying several days in the port of Bahia, and the Florida at first anchored in the offing. The Brazilian Admiral immediate the control of the second services of the control of the second services and the second services are control of the second services and the second services are services as the second services and the second services are services as the second services diately sent her a message requesting her to come inside, which she did, anchoring in the midst of the Brizilian fleet, and close under the guns of the principal fort, which is located upon an island in the middle of the harbor.

Certain parties in Bahia, which is a commercial city of comsiderable importance with one of the best harbors in the world, being interested in American affairs, bestirred themselves to bring about an engagement between the Wachusett and the Florida, firmly confident that the result of such an encounter would be another Union victory as complete as that won last summer in the British Char On the morning of the 6th of October they carried a chal-lenge to Capt. Morris, of the Florida, to move outside the pl yment in the service. This act has produced less re-sult than was anticipated, and further provision is required. The rebel commander declined to receive the missive to render it efficacious. But my present purpose is to invite your consideration to the propriety of a radical modification in the theory of the law.

Viewed merely as properly, and therefore as the subject of impressment, the service or labor of the slave has him to consent to an action between his ship and the Union gunboat, but without success: Capt. Morris, however, stated that if he happened to fall in with the Wachusett during a cruise he should willingly engage in a contest with her, but that on no account would be consent to leave a safe harbor for the express purpose of having an enagement.

all efforts on the part of outside parties to bring on a naval battle in open water between the two vessels proving unavailing, Capt. Collins promptly took into considera-tion the other means which suggested themselves for ridding the seas of the rost dangerous enemy of our com-merce. In the evening of the same day above mentioned, Toursday, October 6th, he called a council of his officers o debate the subject. An important element in the conhas three openings into the Atlantic, by any one of which the Florida could make her escape whenever the darkness for short terms; and this the more especially as the effect of the present law would vest his entire property in all cases where the slave might be recaptured after compensation for his loss had been paid to the private ower. of every law of neutrality, without the slightest objection of any sort being made by the Brazilian authorities. Takwhat tenure he should be held. Should he be retained ing into consideration all the facts in the case, the council servitude, or should his emancipation be held out to him advised, with but one dissenting vote among all the officers of the Wachusett, that the scheme proposed of seizing the rebel cruiser at her anchorage should be carried out. Capt. Collins immediately gave the orders for accomplish ing the design agreed upon, saying that with the very deepest regret he felt that the conduct of the Brazilian made for her escape from the harbor on the very next night, for a new career of depredation upon our shipping.

The preparations for the encounter were made great celerity and complete secrecy, and at about three c'clock on the morning of Friday, October 7, the cables were slipped, and the Wachusett bore down upon the rebel vessel under fail head of steam. So little expectation was there of such a proceeding, that one-half of the officers and crew of the Florida, seventy in number, and including Captain Morris, were carousing on shore, and the remainder, having just returned from a similar absence, were in no condition to repel an assault. The Florida's officer of the deck supposed the collision, which he saw to be imminent, to be merely accidental, and cried out." You will run into us if you don't look out." The into the hands of the enemy, he called a council of war, at learning that the transports with their cargoes would have out." The into the hands of the enemy, he called a council of war, at learning that the transports with their cargoes would have the second place, it is clearly demonstrated by the Chedesign of Captain Collins was simply to strike the which it was decided that the transports should be devaler Nigra's language that the Italian Government has Florida amidships with full steam on, crush in her side, and send her at once to the bottom beyond the possibility of causing further trouble to any one. The Wachusett, however, did not strike her adversary fairly, but hit her in the stern, carrying away the mizzen-mast and main yard.

The Florida was not seriously injured by the collision, but

Government freight, and in less time than it takes to record the broken spar fell across the awning over her hatchway in such a manner as to prevent her crew from getting on deck from below. The recoil which followed the shock carried the Wachusett back several yards. In the confusion which ensued several pistol shots were fired from both ressels, chiefly at random, and entirely without effect. Two of the guns of the Wachusett were also discharged by accident, according to one report, and as another ver-sion has it, by order of one of the Union lieutenants. The rebel craft, "Surreader, or I will blow you out of the immense conflagration was raging with unabated fury water." The lieutenant in charge of the Florida may be excused for considerable amazement, but still had presence inchadings ever heard, shot and shell bursting forth from of mind to reply, "Under the circumstances I surrender." the mouths of over thirty twenty-pound Parrott gues.

Without the delay of an instant dozens of gallant tars. The scene during the entire Friday evening and to a boarded the prize, and made fast a hawser connecting late hour in the night was grand and terrific, and baffles her with their own vessel, and the Wachusett turned her description. The amount of property destroyed, including course seaward, moving at the top of her speed, and tow-

ing the Florids in her wake.

The fleet of Brazilian vessels, which entirely surrounded the little space of water on which the brief battle had been fought, was so situated that the two American steamers were obliged to pass under the stern of one of the largest in order to penetrate their line. The Wachusett was citizens and non-combatants commenced to leave the town Court in the shape of a bill in equity to compel the defendafter, replied that a pause was imposssible as she was towed by the vessel in front. The Brazilians soon guessed guns of the fort, under the very muzzles of which the cap-ture had been made, opened fire on the Wachusett as she left, the cannonading was resumed, but with what results disappeared in the morning darkness. Three shots were fired after her, all passing harmlessly far above her pennant,

and striking the water beyond.

To the reader it seems that all this must have taken a siderable time, but the testimony of a careful officer on the Wachusett, corroborated by the surgeon of the Florida, assures us that from the time the Wachusett first slipped her cable and steamed upon the rebel cruiser to the moment when the echoes of the last gun from the Brazilian fortress had died away was only twenty minutes by the watch. Certainly no page of history can show a more daring achievement, or one executed with more brilliant rapidity or more complete success.

The Brazilian naval commander in Bahia harbor acted with all the promptness which could have been expected and in a few moments the dawn of day disclosed two ves sels of the Brazilian fleet doing their utmost to pursue and overhaul the Wachusett and her prize. They were a heavy sloop of war and a small armed steamer, neither of them any match in point of speed for the handiwork of New England mechanice, and soon gave up the chase as the Union and

rebel steamers disappeared below the hor zon. Captain Collins soon ordered the ships to heave to and examined his prize. He found that neither vessel was unaterially damaged by the collision, and that there had been no injury to life or limb from the confused firing which followed it. Twelve officers and fifty-eight men o the Florida's crew were captured, and all her stores, papers, records, &c. were found undisturbed in the cabin The two vessels soon steamed for St. Thomas, arriving there on the 29th ultimo, and finding the Kearsarge already in port. It was intended to keep the matter at Bahis a secret at St Thomas, but it was accidentally revealed by a seaman of the Wachusett to one of the crew of the Kearsarge, and some hiots of it got wind in the town, causing great excitement there. The Florida remained outside the bay, while the Wachusett entered to obtain coal.

crew of the Florida is composed of Englishmer Irishmen, Germans, &c , and contains no citizens of the tebel States. Among her officers, however, there are several Southerners. Surgeon Charlton, who is now on veral Southerners. board the Kearsarge, is a native of Georgia. He was be-fore the war an officer in the United States navy, and was stationed for several years in Chelsea. He expresses ful confidence that his captivity will last for only a very limited period, believing that the whole affair will terminate as did the seizure of Mason and Slidell three years ago. If the demands which he thinks will be made by the Brazilian Government are disregarded by our authorities, he looks for an endorsement of the claims by the Governments of Great Britain, France, and Spain in such a manner as to compel compliance. Surgeon Chariton estimates that the has steamed over forty thousand miles since she left Brest, not having spent ten days in port in nine months During her career she has captured about forty American

A CENTENERIAN AT THE POLLS .- Descon John Phil ips, of Sturbridge, (Mass.) who is one hundred and four years four months and nine days old, appeared at the town nall and deposited his ballot for Presidential electors and State officers He was brought in a carriage, and then inveyed into the hall in a chair, supported by a platoon f returned soldiers. Col. Edward Phillips, eldest son of he venerable deacon, now in his eightieth year, then made in impromptu speech to the soldiers, in the course of which he said he was the oldest man in town who was orn in town, and yet, said he, my father is here and

Every man who is put into the United States service in Concord (N. H.) has his photograph accurately taken. On he back of it his descriptive hat is placed, and it is then al-d away for future reference

Acting Ensign H. B. Chase, of the U. S. steamer State of Georgia, fell overboard from the vessel at New York on ouday, and before he could be rescued was drowned.

FROM THE TENNESSEE RIVER.

Great Destruction of Property—Johnsonville Re-inforced—Very Severe Fighting.

FROM THE LOUISVILLE DEMOCRAT. In the Democrat of Sunday we published a condense report of the burning of a number of transports and gunboats in the Tennessee river, near Johnsonville, Tennessee, which information was gathered from a special despatch to Capt. Pink Varble from Col. May, dated at that place on the morning of the 5th.

Col. May left Johnsonville at half-past six o'clock on Saturday evening and arrived in our city yesterday. From him we gather the following information, which may be relied upon as correct. In order that our readers may more fully understand the condition of affairs up that stream we date our narrative back to Wednesday, the 2d instant, at which time the attack upon Johnsonville may really be said to have commenced:

About two o'clock on Wednesday afternoon the three sunboats at Johnsonville-Nos. 29, 32, and 52-moved down the river a short distance for the purpose of recap-turing the Venice, which had been taken by the rebels. When a short distance below Johnsonville the gunboat Undine, which had been captured some time since by the ebel gunboat withdrew and the Venice fell into our hands.

this day nothing further of interest transpired.

On Thursday morning the gunboat Undine appeared near Johnsonville, and manoeuvered about as if offering battle. Our gunboats weighed anchor and started out to meet her, when the Undine at once moved down the river and dis-appeared behind the bend, some two miles below Johnsonille. Thinking that this was but a dodge to run our boats into a trap they returned to Johnsonville. During the whole of the day the rebel sharpshooters, who were on the opposite bank of the river, kept up a continual fire upon

gunboats, killing a number of the men. Friday morning was the day of the hard fighting, and the day upon which over \$6,000,000 worth of property was sacrificed to the flames. At an early hour in the morning the gunboat Undine came to within four or five hundred yards of Johnsonville and presented a broadside, as if she intended to fire upon the town The gunboats previous day. The gunboats followed her into the bend, and they had no sooner made the turn than they were opened upon by a rebel battery of twelve twenty-four pound Parrott guns, said to be supported by ten thousand men, and also by the Undine. About this time four gunboats came up the river and engaged the battery on the other side. The fight between the boats lasted from were unable to pass the battery, and being separated were unable to cope with it. After a most determined resistance the gunboats were compelled to retire in a crippled condi-tion. About 11 o'clock and during the engagement the Undine was run into the shore by the rebels, and burned to

prevent her being captured. About two o'clock in the afternoon a party of rebel sharpshooters made their appearance on the opposite shore from Johnsonville and commenced firing upon the transports, which now dropped down to the while the gunboats threw small shells into the rebel ranks which dispersed them. When the rebels had succeede in getting all the gunboats and transports to the lower landing, which was about three o'clock in the afternoon, they immediately opened on the bosts from their batteries, all of which were composed of twenty pound Parrott guns. There were four batteries opposite the city, one at the upper end, one at the lower, and two just in the centre. the gunboats were destroyed, and the Federal commander fearing that the transports with their cargoes would fall stroyed. The order was at once given and in a short time the following boats were wrapped in one sheet of flames: Doane No. 2, Arcola, Duke, Goody Friends, Aurora, Mountsineer, J. B. Ford, Highlander, and Wenice. The flames by Italy has been to the effect that "she renounces all were communicated to the barges, which were loaded with violent means" to obtain passession of Roma: provision it they fell a prey to the devouring elements.

it. Men were detailed to subdue the raging fire, but they would no sooner make their appearance than the rebel batteries and sharpshooters would fire upon them. The fire next communicated to the Government warehouse, which contained six hundred and fifty tons of provisions. Not only were the boats and barges with contents destroy-ed, but all the freight on the wharf and the warehouse, shots did not strike the Florida. Captain Collins, of the ed, but all the freight on the wharf and the warehouse, wachusett immediately, thundered out a demand to the together with its contents, were one heap of ruins. As

the boats and barges, some forty in number, is estimated at about \$6 000 000. We were unable to learn the number of losses on either side.

On Saturday morning, about seven o'clock, the rebel batteries opposite the city sgain opened on Johnsonville, were killed. About ten o'clock the cannonading was

we are unable to state.

The forces at Johnsonville were under the command of The forces at Johnsonville were under the command of Col. Thompson. On Saturday evening Col Gallup arrived there with a brigade of troops and several guns. The party which left Johnsonville, when on their way to Nashville, met a considerable Federal force, with siege guns, under command of Gen. Schofield, going to the relief of the States, issued under the authority of the Government, were correct money and lawful money. But no one could be compelled to accept the promise of a bank to pay money instead of the coin itself. The notes of the Bank of the United states, issued under the authority of the Government, were forces there. When these reinforcements reach Johnson current money, and lawful money, because issued by such ville the place will be entirely safe from any attack the authority, but were never made a legal tender for the pay rebels can make on it. The rebel force, which is estimated at twenty thousand strong, is under the command of Generals Chalmers, Lyon, Forrest, and Rhoddy. It is impossible as yet to tell what is the intention of the rebel force, ing, not Prussian dollars or Spanish milled dollars, but but it is generally believed that they are moving down the lawful coin of the United States. The addition of the deriver. The above are the facts as related by persons who

THE CONDITION OF LEE'S REBEL ARMY.

The Richmond Enquirer of Tuesday regrets that Gen. Lee's troops "should have been subjected to such severe lines. A correspondent writing from before Petersburg

Houses are being built, and every thing gotten ready for tender for payment of debts. It is clear, therefore, that the snow king when he shall, as he must ere long, proclaim Congress has always observed the distinction between cura truce. The army at this time is well fed, the animals are well foraged, and the transportation is all in excellent condition. The troops, too, are well supplied with good, substantial clothing, and, I believe, are well shod. The Government seems to be doing better than ever before, so far as taking care of the army goes. The quartermaster, commissary, ordnance, and medical departments have been cleared of all able bodied men except teamsters, and they are being gradually relieved by negroes. These bomb-proofs number some four or five thousand, and are a valuable accession to the 'fighting department' of Gen. Lee's

TERRIBLE TORNADO AT CHESTER. (ILL.)

A terrible tornado passed over the town of Chester Illinois, about two o'clock on the morning of the 8th instant, resulting in great loss of life and property. Some twelve or fourteen houses were blown down and completely demolished, burying the sleeping inmates in the ruins. The storm seems to have come from the southwest, and passed storm seems to have come from the southwest, and passed only over the southern portion of the town, blowing down the dwelling house of Mr. Chaucey Haskin, killing him and his little adopted daughter, about twelve years of age. It next struck the house of Col. Jones, razing it to the ground, and burying him completely. When taken from the ruins life was found to be extinct. It then passed on, carrying every thing before it. Among the wounded are Miss Emerson, (mortally,) Miss Anderson, Mr. Henry Gauseman, and some ten others whose names could not be ascertained. The houses of Mesars. Mann, Moore, Emerson, Jones, Bowls, Crittenten, Wilkinson, and Haskins were entirely destroyed. The Baptist Church, a brick edifice, was blown to atoms—the bricks and mortar blown to a great dustance. The roof of the large brick brewery to a great distance. The roof of the large brick brewery was blown off, and numerous outhouses and abeds destroyed.

twelve thousand women employed in bonnet factorie

OUR PARIS CORRESPONDENCE.

PARIS, OCTOBER 28, 1864.

The Emperor Napoleon left Paris on Wednesday last en route for Nice, which place he reached last night after sleeping at Lyons. King Leopold of Belgium, one of the great counsellors of Europe, is also in those parts, and it is not improbable that all the three sovereigns may lay their heads together upon the general state of affairs. Im mediately before quitting the capital the Emperor received M. de Bismark, the head of the Prussian Cabinet, who is just now in Paris, to a private audience of considerable length. I understand that both Polish and Danish affairs were the subject of conversation between the Prussian Prime Minister and his Majesty, with the view of making the latter fully acquainted with the policy of the Court o Barlin before his interview with the Emperor Alexander. It must not be forgotten that the heir apparent of the Russian Empire is now formally betrothed to a daughter of King Christian of Denmark and a sister of the Princess of Wales Neither the Russian nor English alliance is likely to be of much material benefit to Denmark. But the interest felt by Russia in the final solution of the Dance Germanic question of territory cannot but be considerably rebels, gave our boats fight. The engagement lasted for several hours, and until the Venice had been disabled by the Grand Duke Nicholas. Moreover Russia has d reet a cannon ball which cut her steam drum. After this the pretensions over a portion of the still undisposed of duchies If I am rightly informed, the converse of the Emperor When she was recaptured she was armed with two 20. If I am rightly informed, the converse of the Emperor pound Parrott guns. She also had a full supply of ammunition, &c., all of which was taken to Johnsonville. On settlement of the territorial question in Germany, and, though this is a far more delicate subject to venture upon, on the condition of Poland. The Emperor Napoleon is understood to be strongly opposed to the aggrandizemen of Prussia by the annexation of any portion of the disputed territory to her dominions. He would only assent to this aggrandizement on condition of receiving an equivalent which he feels at present to be unattainable. For the reasons above indicated he counts upon the Czar's co opera tion in this matter, and on that of England too, probably. for what it may be worth. Thus the three Courts of St James, Paris, and St. Petersburgh have still a point of union on the German and Danish question, although they have allowed the Treaty of London to be torn to rags. 20, 32, and 52 were sent in pursuit of her, and they had no sooner started than the Undine immediately put off and dodged behind the same bend where she disappeared the regard to the Polish question, the supposition is that adregard to the Polish question, the supposition is that advantage will be taken of the Emperor Alexander's visit. and of the complete success he has now obtained at Warsaw, to urge upon him the propriety of soon carrying into effect these conciliatory measures which he professed to delay only until actual rebellion was put down. If such measures could be promulgated, and appear, though only early Friday morning until about noon, during which time measures could be promulgated, and appear, though only a most terrific cannonading was kept up. Our gunboats remotely, to have been due to the influence of Napoleon, it would relieve the latter of considerable difficulty, and be received as some palliation by the strong Polish party in France for his apparent desertion of their cause. A highly important document respecting the late Franco

Italian convention has been very opportunely published just at the moment of the opening of the Parliament of Turin. I refer to the despatch of the Chevalier Nigra, Italian Minister at Paris, addressed to the Chevalier Vis conti Venosta, Foreign Minister at Turin, immediately after the treaty was signed. Two important points are mide clear by this document. In the first place, it proves that the present schism for the evacuation of Rome by the French is the same, in all its chief points, as one which was about to be carried out with Count Cavour just before The fire of all these batteries was concentrated on the boats lying at the Johnsonville wharf, and in less than fifteen for the change of capital. This is a great point in favor of he died. The only essential difference is the stipulation inutes the gunboats were a complete wreck. Now that the Italian Cabinet, which can now assert that they are but treading in the steps of the great Minister of Italy never receded from the national programme, or in any way betrayed the national aspirations. The only pledge given violent means" to obtain possession of Rome; promising to observe herself the "same principles of non-intervention" towards the Roman Government which she demand-The wharf at Johnsonville was covered with Govern-ment freight, and the flames were soon communicated to ed on the part of France and the rest of Europe. But she distinctly retains to herself the "use of moral means" to attain the same easily, and maintains the principle of a "free Church in a free State." All this is clearly laid down in the deepatch as "having been well understood is all the conferences with the French Plenipotentiary." After reading this document it seems impossible to come to any other conclusion than that the days, or at least years, of the temporal power of the Papacy are near at hand; that is, that they are reduced to the two which must clapse before the last French soldier turns his back upon the capital.

LEGAL-TENDER NOTES IN COURT

In the United States Circuit Court for the Eastern District of Pennsylvania, on Thursday last-Judges GRIER and CADWALADER on the bench-an opinion was delivered in the case of the Philadelphia and Reading Railroad Comin order to penetrate their line. The Wachusett was challenged, but did not deign a word of reply, and the Florida, when halfed and commanded to half a moment were shelled by the rebel batteries and a number of them. ground rents, to the amount of \$300,000, the legal tender again commenced, and lasted for some thirty minutes. notes of the United States. The case was argued a few the state of affairs, and in another moment or two the heavy | From that time until seven o'clock in the evening all was days ago. The opinion of Judge GRIER, as we find it in the Poiladelphia "Age," is as follows :

Coined money, in modern times, forms but a very small ment of debt.

A contract made in the United States for the payment of a certain number of dollars would be construed as mean scription " lawful mency of the United States" is entirely superflacus, and does not change the nature of the obligation. The statutes of Congress always take a distinct between a lawful or current money and that which shall be a tender for payment of debts. Hence, we find that when such is the intention, the language is, " And shall be a legal

Some cons of the Government are a legal tender below loss" in the attack last Saturday night on the Federal lines. A correspondent writing from before Petersburg to the Richard Dispatch of the same data and th to the Richmond Dispatch of the same date says:

"The campaign of '64, in my opinion, has ended. There may be a few more recommoissances, a dash, or a sally, but the stubborn fighting is over; and Petersburg and Richmond, after an unparalleled expenditure of blood and treasure, are safe—still unreduced by the enemy. The in the trenches must suffer a good deal, though they are fixing themselves up as comportable as possible. In the rear the quartermaster, commissary, ordnance, and medical departments are making themselves comfortable. Houses are being built, and every thing gotten ready for Thus, in the act authorizing the National Banks, their notes are made a legal tender for certain debts due to the

> one citizen to another. The Treasury notes are made lawful or current money "and a legal tender for debte," &c., as between individuals. As this is the first act in which this high prerogative of sovereignty has been exercised, it should be con-strued strictly. It is doubtful in policy and dangerous as a precedent.

> Government for taxes, &c , but not for debts due from

The only question then is whether this case comes within the letter of the statute. Is the money which may is paid to extinguish a ground-rent within the category of the act? Is it a debt? The owner of the land is not bound to pay it. The owner of the rent cannot compel him to pay it. There is no obligation as between the parties. It cannot be converted into an obligation by the election of one of the parties without the consent of the other. A man may execute his bood to me voluntarily, but unless I accept it he does not become my debtor.

These ground-rents, in the nature of a rent service, are somewhat peculiar to Pennsylvania, and little known in

other States. But the Supreme Court of the State has clearly settled and determined their nature. The cares are therefore the termination of the first time become debts when they are demandable."

I can of opinion, therefore, that the tender offered be

I am of opinion, therefore, that the tender offered by the bill in this case is not authorized by the statute, and In the southeastern part of Massachusetts there are their estate in the land by such a tender as that now made. The bill must, therefore, be dismissed,